IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 11TH JANUARY 2007 / 21ST PAUSHA 1928

Bail Appl..No. 116 of 2007()

Crime No.859/06 of Adoor Police Station

: PETITIONER/ACCUSED 1 AND 2

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1. SREEKUMAR, AGED 30 YEARS,
SREEVILASAM, KURUMBAKARA, ENADIMANGALAM VILLAGE,
ADOOR TALUK.

2. RAJEEV, AGED 30 YEARS,
RAJEEV BHAVAN, KURUMBAKARA, ENADIMANGALAM
VILLAGE, ADOOR TALUK.

BY ADV. SRI.S.SANAL KUMAR

RESPONDENT: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No. 116 of 2007

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Dated this the 11th day of January, 2007.

ORDER

Petitioners, who are accused Nos. 1 and 2 in Crime No. 859/06 of Adoor Police Station for offences punishable under Sections 452, 324 and 323 read with Section 34 I.P.C., seek anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The occurrence took place on 4.12.2006 at 4 p.m. during which the de facto complainant, his wife and daughter were assaulted with iron pipes, etc.

4. Even though I am not inclined to grant anticipatory bail to the petitioners, I am inclined to give the petitioners an opportunity to surrender before the Investigating Officer and have their application for regular bail considered by the Magistrate expeditiously. Accordingly, the petitioners shall surrender before the Investigating Officer any day between 15.1.2007 and 18.1.2007 for the purpose of interrogation and recovery of incriminating material, if any. Thereafter, the petitioners shall be produced before the Magistrate having jurisdiction. The Magistrate shall consider and dispose of the

application, if any, filed by the petitioners for regular bail preferably on the same date on which it is filed after examining the petitioners' contention on the merits of the case including their grievance that the matter was once settled and was raked up due to political influence.

With this direction, this petition is disposed of.

V.Ramkumar,
Judge.

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